
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Jarad Broadcasting Company of Westhampton, Inc.)	File No. EB-03-NY-364
Licensee of Radio Station WDRE)	
Garden City, NY)	NOV No. V20043238001

NOTICE OF VIOLATION

Released: October 29, 2003

By the District Director, New York Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Jarad Broadcasting Company of Westhampton, Inc. ("Jarad"), licensee of radio station WDRE.

2. On October 15, 2003, agents of the Commission's New York Office inspected the transmitting facilities of radio station WDRE, located near Kimberly Ct., Manorville, New York, and observed the following violation:

47 C.F.R. §73.1350(a): "Each licensee is responsible for maintaining and operating its broadcast station in a manner which complies with the technical rules set forth elsewhere in this part and in accordance with the terms of the station authorization." The license for station WDRE authorizes Jarad to operate with an antenna radiation center above ground level (RCAGL) of 40 meters. However, Jarad was operating with an antenna RCAGL of approximately 114 meters.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Jarad must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the owner with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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New York Office
201 Varick Street, Suite 1151
New York, NY 10014

4. This Notice shall be sent to Jarad Broadcasting Company of Westhampton, Inc., 1103 Stewart Avenue, Garden City, NY 11530.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*